

Rules of
Department of Public Safety
Division 75–Peace Officer Standards and
Training Program
Chapter 2–Definitions

Title	Page
11 CSR 75-2.010 Definitions	3

**Title 11—DEPARTMENT OF
PUBLIC SAFETY
Division 75—Peace Officer Standards
and Training Program
Chapter 2—Definitions**

11 CSR 75-2.010 Definitions

PURPOSE: This rule defines the terms used in the rules which pertain to the operation of the Peace Officer Standards and Training.

- (1) The Act refers to sections 590.100–590.180, RSMo.
- (2) Active certification refers to the status of any bailiff, peace officer, reserve officer, chief executive officer, instructor or training center who/which is currently certified and in compliance with the standards in the Act and Peace Officer Standards and Training (POST) rules and whose certification status is not currently in suspense, lapsed or void.
- (3) Advanced supervision training refers to any supervisory course(s) at a level above basic firstline supervision training.
- (4) Advanced training refers to training that is meant to improve and update the skills and knowledge of the line officer beyond that provided by the basic training course.
- (5) Affected parties refers to the complainant, the certified bailiff, peace or reserve officer who is subject to a complaint, the chief executive officer, if not the subject of the complaint, or the chief executive officer and immediate superior of the chief executive officer in the event that the chief executive officer is the subject of the complaint during certification suspension or revocation proceedings as provided for under section 590.135, RSMo and 11 CSR 75-3.080.
- (6) Agency refers to any state, county or municipal law enforcement organization or any certified training center.
- (7) Bailiff is any bailiff who is an assigned officer of the court subject to control and supervision and responsible for preserving order and decorum, and other services which are reasonably necessary for the proper functioning of the court.
- (8) Basic bailiff certificate/certification refers to the status of a certified bailiff who has met the minimum standard of training or preparation required by the state to be certified.
- (9) Basic peace officer certificate/certification refers to the status of a certified peace officer who has met the minimum standard of training or preparation required by the state to be certified.
- (10) Basic reserve officer certificate/certification refers to the status of a certified reserve officer who has met the minimum basic standard of training or preparation required by the state to be certified.
- (11) Basic supervision training is the initial firstline supervisory course.
- (12) Basic training requirement, basic training course, basic standard of training, basic recruit school or basic academy course is the initial training course for new bailiffs, peace officers, reserve officers and for deputies of the Sheriff's Department of the City of St. Louis as established by the director of the Department of Public Safety. This will include basic training required for certification of officers in other states and who, on the basis of that basic training and certification, apply for or are granted basic certification by Missouri.
- (13) Certificate is a document issued to training facilities, bailiffs, peace officers, reserve officers, chief executive officers, deputies of the Sheriff's Department of the City of St. Louis and instructors to indicate minimum qualifications have been met under the rules established by the Act, the director, or both, or the commission.
- (14) Certification includes the process respecting the granting, refusal, renewal, revocation and suspension of a state certificate.
- (15) Certified instructor is any person certified by the director or his/her designated representative as being competent to teach at a certified training facility in accordance with the provisions of the Act.
- (16) Certified bailiff is any bailiff certified by the director or his/her designated representative in accordance with the provisions of the Act.
- (17) Certified peace officer is any peace officer certified by the director or his/her designated representative in accordance with the provisions of the Act.
- (18) Certified reserve officer is any reserve officer certified by the director or his/her designated representative in accordance with the provisions of the Act.
- (19) Certified training center or academy or school is any school, college, university, academy or local training organization which offers basic law enforcement training and includes within its meaning a combination of course curricula, instructors and facilities or any training session as approved by the director.
- (20) Chief executive officer (CEO) is the chief of police, director of public safety, sheriff, department head or chief administrator of any law enforcement or public safety agency of the state or any state political subdivision who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state or for ordinances of a county or municipality. A chief executive officer is considered a peace officer.
- (21) Class is a single meeting or session devoted to a specific law enforcement-related subject or topic.
- (22) Command supervision training is supervision training for any mid-level management personnel.
- (23) Continuing training center certification is the ongoing or renewed three (3)-year approval of a training center which has been certified previously.
- (24) Course is any grouping of classes or series of lessons or lectures combined to attain a particular educational or training objective.
- (25) Deputies of the City of St. Louis include any member of the Sheriff's Department of the City of St. Louis, as defined under section 57.450, RSMo, who is required to meet the basic training requirements as prescribed by the Act. This member will not be eligible for a peace officer or reserve officer certification upon completion of the required basic training course.
- (26) Designated representative is the official designated by the director who is responsible for carrying out the administrative requirements of the POST Program.
- (27) Director is the director of the Missouri Department of Public Safety.
- (28) Duly constituted law enforcement agency is any state, county or municipal law enforcement organization empowered by law to enforce the general criminal laws of the state or the ordinances of counties or municipalities of the state.



(29) Employment or appointment date shall mean the date that an individual is named, appointed, hired or selected with the immediate or the eventual intent that the individual will render services as a peace officer or reserve officer in a position of a probationary or permanent nature within one (1) year from that date.

(30) Equivalent training refers to other training that would compare favorably to the current minimum basic training standards in Missouri.

(31) Executive development training is training for the police executive.

(32) Exempt shall refer to political subdivisions, counties and municipalities that are released from the requirements of Chapter 590, RSMo.

(33) Federal Law Enforcement Officer, an officer employed full-time by a federal agency including a branch of the military service and with the duty and power of arrest for violation of federal law.

(34) Field training is training in which an individual recruit receives formal instruction on the job for special and defined purposes.

(35) Hearing officer is the individual designated by the director to consider the evidence and to make suggested findings of fact and conclusions of law and to offer recommendations to the director pursuant to the provisions outlined under section 590.135, RSMo and 11 CSR 75-3.080.

(36) In-service training is training designed to refresh or add to an individual's capabilities to perform a given task.

(37) Initial probationary training center certification is the probationary one (1)-year approval of a training center which has not been certified previously.

(38) Interpersonal perspectives training focuses on communication skills such as, cultural diversity training, ethics, conflict management, victim sensitivity and stress management.

(39) Lapsed certification occurs when a certified bailiff, peace officer or a certified reserve officer terminates appointment or employment by a duly constituted law enforcement agency. Reactivation of certification can be accomplished by commutative years of full-time service, successful completion of a qualifying examination or by suc-

cessful completion of the applicable basic training course at the discretion of POST.

(40) Lateral entry is employment of an officer at any rank by a law enforcement agency, based upon special qualifications, without following the usual selection procedures established by the jurisdiction for the lowest peace officer position.

(41) Legal studies is training that focuses on updates or familiarization concerning federal, state and local criminal law or legal issues.

(42) Lesson plan is a minimum of: course name, hour(s) allocated, date prepared, date revised, instructor(s) name(s), detailed presentation of course content and references to source documents, audio video material used and automated resources used.

(43) The manual means the book of policies and procedures as adopted by the director in accordance with the provisions of the Administrative Procedures and Review Act, Chapter 536, RSMo.

(44) Military leave of absence or active military duty is any period of official state or federal military obligation being served by a certified peace officer or a certified reserve officer. Time spent away from the officer's activities as a peace officer or reserve officer while on official military leave or duty will not apply to the time limit lapse in service as pertains to the terms of certification.

(45) Nonprimary enforcement activities, activities which include, but are not limited to, traffic control, crowd control, checking abandoned, vacated and temporarily vacated structures, conveyance of motor vehicles, public appearances, and public educational presentations.

(46) Peace officer includes all members of the state highway patrol, all state, county and municipal law enforcement officers employed full-time and possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, who serves full-time, with pay.

(47) Peace Officer Standards and Training Commission is the nine (9)-member board consisting of three (3) chiefs of police, three (3) sheriffs, one (1) certified training center director, one (1) representative of a state law enforcement agency and one (1) public member, all appointed by the governor, responsible to formulate definitions, establish core curriculum and rules for the administration of

POST and to guide and advise the director concerning his/her duties as outlined by the Act.

(48) Peace Officer Standards and Training Commission Fund shall be administered by the nine (9)-member Peace Officer Standards and Training Commission.

(49) Permanent employment or appointment shall mean that an individual is named or selected to render services as a commissioned peace officer or reserve officer on a permanent basis.

(50) POST refers to the Missouri Department of Public Safety's Peace Officer Standards and Training Program.

(51) Primary enforcement activities, activities used to enforce the police powers of the state, including but not limited to, a direct or indirect involvement in the activities of arrest, detention, vehicular pursuit, search, interrogations or the administration of first aid.

(52) Political subdivisions, any county, township, city, incorporated town or village in the state of Missouri.

(53) Probationary appointment shall mean an appointment as a bailiff, peace officer or reserve officer to a position for which, during a period of time defined by the rules of the employing law enforcement agency, the appointing or employing agency, without hearing, may remove the officer if, in its opinion, the officer is unable or not willing to perform his/her duties satisfactorily or his/her habits and dependability do not merit his/her continued appointment.

(54) Public law enforcement agency, any state agency, county or municipality employing or appointing commissioned officers with full powers of arrest, search and seizure and enforcement of the general criminal laws of Missouri.

(55) Qualifying or comprehensive examination refers to a test which substantially covers the content of the sixty (60)-hour basic bailiff training requirement, one hundred twenty (120)-hour basic training requirement, the two hundred forty (240)-hour basic training requirement, the six hundred (600)-hour basic training requirement, or a combination of these, a physical agility/defensive tactics component and a firearms component along with training or proof of certification in areas such as radar, breathalyzer and approved first aid.

(56) Reserve officer, any person who serves in a less than full-time law enforcement capacity, with or without pay, and who without certification, has no power of arrest and who, without certification, must be under direct and/or immediate accompaniment of a certified peace officer of the same agency in order to engage in primary enforcement activities.

(57) Skill development training focuses on activities which develop physical skill proficiency such as and thereof defensive tactics, firearms and drivers training.

(58) Special certificate/certification refers to the status of a chief executive officer, a peace officer, a reserve officer or bailiff who was certified with prior or other training, experience, education, or a combination of these, approved by the director as being equivalent to the minimum training required by the state to be certified under section 590.115(4) and (5), RSMo.

(59) Specialty training is training on a single topic meant to impart specific, in-depth knowledge and skill to in-service personnel.

(60) Suspense certification refers to the time period during which certified peace officer's status is being changed to that of a certified reserve officer, a certified reserve officer's status is being changed to that of a certified peace officer or a certified reserve officer who, having completed the basic training course, makes a transition from one (1) duly constituted law enforcement agency to another. Reactivation of certification can be accomplished by compliance with applicable basic training requirements where necessary.

(61) Technical studies training focuses on specialized studies or activities which directly relate to the job description.

(62) Temporary appointment shall mean an appointment as a peace officer or reserve officer in a position which has a time limit on it or is not of a continuing nature.

(63) Termination date refers to the last day a person is employed or appointed as a bailiff, peace officer or reserve officer with a law enforcement agency or when a person's classification with the agency changes from one status to another.

(64) Trainee shall mean a recruit or a returning veteran bailiff, peace officer or reserve officer who shall be required to complete the minimum basic training requirements as

established by the director or his/her designated representative.

(65) Training center director or coordinator is an individual charged with the overall responsibility of conducting a mandatory basic training course under the provisions of the Act.

(66) Training day is composed of eight (8) hours.

(67) Veteran bailiff, is an assigned officer of the court who has been a full-time bailiff with a political subdivision prior to January 1, 1995.

(68) Veteran peace officer, is any peace officer who has been a full-time peace officer with a duly constituted law enforcement agency, state, county or municipal law enforcement agency on a continuous basis and who previously has completed a basic law enforcement training course approved by the state in which the officer received the training or who has been exempted from the basic training requirements set forth by the Act.

(69) Void certification occurs when a certified officer terminates appointment or employment by a duly constituted law enforcement agency for any period of time. This definition applies to a bailiff, peace officer, reserve officer or chief executive officer who was certified with prior training or other training, experience, education, or a combination of these, approved by the director as equivalent to the minimum basic training required by the state, except for any peace officer who was certified by Missouri on the basis of basic training acquired and certification granted in another state prior to appointment or employment as a bailiff, peace officer, reserve officer or chief executive officer in Missouri as defined in 11 CSR 75-3.050.

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**Original authority 1978, amended 1988, 1993, 1995.*

*AUTHORITY: section 590.120, RSMo (Cum. Supp. 1996). * Original rule filed Aug. 12, 1980, effective Nov. 13, 1980. Amended: Filed April 1, 1983, effective Aug. 11, 1983. Rescinded and readopted: Filed April 12, 1989, effective June 29, 1989. Amended: Filed Aug. 30, 1991, effective Jan. 13, 1992. Amended: Filed March 2, 1992, effective Aug. 6, 1992. Amended: Filed Sept. 29, 1992, effective May 6, 1993. Emergency rescission and rule filed June 15, 1994, effective Aug. 28, 1994, expired Dec. 25, 1994. Rescinded and readopted: Filed June 2,*